

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

ZANE COLBERT,	:	CIVIL NO. 1:18-CV-2422
	:	
Petitioner	:	(Chief Judge Conner)
	:	
v.	:	
	:	
LAWRENCE MAHALLAY,	:	
PA STATE ATTORNEY GENERAL,	:	
	:	
Respondents	:	

ORDER

AND NOW, this 14th day of January, 2019, upon preliminary review of the petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 (Doc. 1), see R.

GOVERNING § 2254 CASES R. 4, in which it appears that the petition may be barred by the statute of limitations, see United States v. Bendolph, 409 F.3d 155, 169 (3d Cir. 2005) (*en banc*) (holding that district courts may *sua sponte* raise AEDPA's one-year statute of limitations, provided that the petitioner is provided with notice and an opportunity to respond), it is hereby ORDERED that:

1. The motion to proceed *in forma pauperis* is GRANTED. (Doc. 3).
2. The Clerk of Court is directed to serve a copy of the petition (Doc. 1), and this order on respondents and the District Attorney of Dauphin County. See R. GOVERNING § 2254 CASES R. 4.

3. On or before February 4, 2019, respondents shall file an answer and memorandum concerning the timeliness of the petition and any applicable statutory and/or equitable tolling of the statute of limitations.
4. Petitioner shall be permitted to file a reply to the answer within fourteen (14) days of the date on which the answer is filed.

/S/ CHRISTOPHER C. CONNER
Christopher C. Conner, Chief Judge
United States District Court
Middle District of Pennsylvania